

Entered - 2-9-01 - sb
CL - 00L0679 ALEXIS HOLMES

01-L -1364

CLAIM OF: **VALERIE KIMBLE,**
5489 Koweta Road
College Park, Georgia 30349

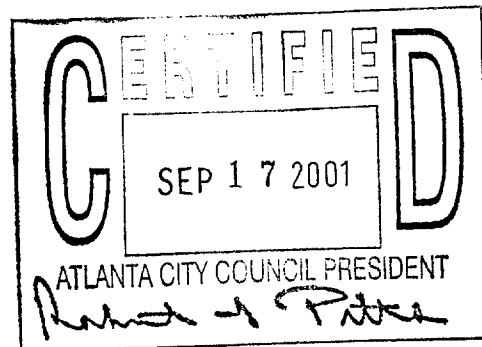
For vehicular damages alleged to have been sustained as a result of
objects falling from a City vehicle and striking her vehicle on
October 14, 2000 at I-75/85 at I-66.

THIS ADVERSE REPORT IS APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

**Standing committees
AGENDA**

ADVERSE
CITY COUNCIL SEP 17 2001




ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: Public Safety

CHAIR: 9/17/01



CERTIFIED
SEP 17 2001


DEPUTY MUNICIPAL CLERK



**CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK**

**RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK**

**55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103**

September 19, 2001

Valerie Kimble
5489 Koweta Road
College Park, Georgia 30349

01-R-1364

Dear Ms. Kimble:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on September 17, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400.**

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0679

Date: 8/3/01

Claimant /Victim VALERIE KIMBLE

BY: (Atty)(Ins.) _____

Address: 5489 Koweta Road College Park, Georgia 30349

Subrogation: _____ Claim for Property damage \$ 451.68 Bodily Injury \$ _____

Date of Notice: 1/23/01 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 10/14/00 Place: I-75/85 South at I-166

Department Fire Division: Station 6 B

Employee involved FAO Todd Thomas Disciplinary Action: No action taken

NATURE OF CLAIM: The claimant sustained vehicular damage to her vehicle when some boxes fell from a fire truck onto her vehicle. However, the claimant has elected to be reimbursed by her insurance carrier.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Other _____ Written X Oral _____

Pictures _____ Diagrams _____ Reports: Police X Dept Report X Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,



INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 080701

Committee Action: _____ Council Action _____

RCS# 3123
9/17/01
6:39 PM

Atlanta City Council

Regular Session

MULTIPLE
01-R-1364

Unfavorable Claims; Items 20-59

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 1
ABSENT 0

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	NV Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	E Maddox	NV Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE